

Civil Rights  
1300

For Plaintiff: Hon. Nicholas deB.  
Katzenbach, Atty. General  
No. 1200  
Gene Livingston

For Blair - 100.  
Carrin A. Hall. 1300  
Jack L. Young (Jack Young)

ATTORNEYS

MERTIDIAN SEPARATE SCHOOL DISTRICT, D. J. O. TODD  
 Superintendent of Education, D. J. O. CARSON  
 DAIN, THOMAS IN Assistant Superintendent  
 SCHUBERT, ALBERT MARVIN WILLIAMS MRS. T.  
 TOSTERMAN, JR. D. O. R. SHAW, J. V. O. J.  
 ARCHIE McDONNELL, WOOD WILLIAMS and PHILLIP  
 CARLSON

332 1 1/2 ATTORNEYS  
For Plaintiff: \_\_\_\_\_  
\_\_\_\_\_ (Order 2-20-68)  
Defendant: \_\_\_\_\_  
\_\_\_\_\_ (Order 2-20-68)  
\_\_\_\_\_ 10010  
For Defendant: \_\_\_\_\_  
\_\_\_\_\_

\* Robert McRae, Defts.  
United States of America, by Nicholas deB. Katzenbach  
Attorney General, Intervenor as a party plaintiff  
BASIS OF ACTION: Civil Rights, T. 28 USC Sec. 1343 (2)  
Authorized by law, T. 28 USC § 1343  
Plaintiffs seek preliminary and permanent injunction.

William B. Compton  
P. O. Box 845  
Meridian, Miss.  
Robert B. Deen, Jr.  
P. O. Box 888  
Meridian, Miss.

## JURY TRIAL CLAIMED

ON

DATE	PLAINTIFF'S ACCOUNT	RECEIVED	DISBURSED	DATE	DEFENDANT'S ACCOUNT	RECEIVED	DISBURSED
5-10-65	Jack H. Young	15 00					
5-17-65	c/d 40-4		15 00				
		15 00	15 00				
6-27-67	No. 47978 Paul Brest	5 00					
	Notice of Appeal						
6-28-67	c/d 51-4		5 00				
8-2-68	No. 53901 Reuben V. Anderson						
	Notice of Appeal	5 00					
8-7-68	c/d 5-4		5 00				
5-21-69	No. 56316 Fred L. Banks, Jr.	5 00					
5-27-69	Notice of Appeal C-d 43-4		5 00				

### ABSTRACT OF COSTS

[illegible]

U.S. Marshal's No. 6347-Civil

RECEIVED, REMARKS, ETC.



MERIDIAN SEPARATE SCHOOL DISTRICT



No. 1300 (F)

DATE	FILED—PROCEEDINGS	AMOUNT REPORTED IN EMOLUMENT RETURNS
5-10-65	Motion for Preliminary Injunction, original and 11 copies and filed of individual defendants, their agents, etc. who shall	15.00
5-10-65	Compliance with 7 affidavits attached, original and 11 copies	
5-11-65	Summons issued, returnable in 20 days. Original summons and 11 copies each now having attached thereto copies of complaint with 7 affidavits attached and copy of Motion for Preliminary Injunction; handed to U.S. Marshal at Jackson, Mississippi.	
5-24-65	Summons returned executed on each defendant on 5-15-65; filed.	
5-27-65	Plaintiffs' Motion to substitute Robert McRae in the place of Marvin Williams as defendant, with certificate of service, filed.	
5-27-65	Defendants' Motion to dismiss defendants, Marvin Williams, Elwood Williams and Phillip Garrison, filed.	
5-27-65	Order substituting Robert McRae as a party defendant in the place and stead of Marvin Williams, filed and entered. OB 1965 P. 139	
5-27-65	Order dismissing this action as to the defendants Marvin Williams, Elwood Williams and Phillip Garrison, filed and entered. OB 1965, Page 140.	
5-27-65	Preliminary Injunction Order: Until further order of this Court the defendant, Meridian Municipal Separate School District and the other individual defendants, their agents, etc. who shall receive notice of this Order, are temporarily restrained and enjoined from requiring segregation of the races in any school their supervision, from and after such time as arrangements can be made as required by the ruling of the Supreme Court. Further ordered that said persons are required to submit to this Court not later than 7-15-65, a plan for immediate desegregation of said schools in said district, including a statement that maintenance of separate schools for negro and white children of said district shall be completely ended with respect to at least one grade during the school year commencing September, 1965, and with respect to at least one additional grade each school year thereafter; filed and entered. OB 1965 P. 141 & 142.	
5-27-65	Notice of entry of judgment mailed to Hon. Carsie A. Hall and Hon. Jack H. Young and to Hon. Robert B. Deen, Jr. and William B. Compton, filed and entered.	
6-4-65	Answer of all defendants with certificate of service, filed.	
6-12-65	Notice of Motion and Motion of the United States for leave	



## CIVIL DOCKET

No. 1300(e)

DATE	FILINGS-PROCEEDINGS	CLERK'S FEES		AMOUNT REPORTED IN EMOLUMENT RETURNS
		PLAINTIFF	DEFENDANT	
	to Intervene as a party plaintiff with proposed complaint in intervention, with certificate of service, filed.			
6-28-65	Order granting leave to the United States to intervene as a party plaintiff in this action and ordering that the Complaint in Intervention of the United States be filed in this cause, filed and entered. OB 1965 Page 180			
6-28-65	Complaint of United States as intervenor, filed.			
7-15-65	Desegregation Plan of The Meridian Separate School District with Exhibits A, B and C, together with certificate of service filed in duplicate.			
7-16-65	Interrogatories to Defendants, with certificate of service, filed in duplicate.			
7-19-65	Answer to Complaint in Intervention of The United States of America with certificate of service, filed.			
7-22-65	Plaintiff Intervenor's Objections to Desegregation Plan, with certificate of service, filed.			
8-3-65	Depositions of Dr. L. O. Todd and Mr. Paul L. Franklin taken on July 26, 27, 28 and 29, 1965 in four (4) volumes, filed.			
8-3-65	Exhibits to the above depositions marked as follows: Plaintiffs - Intervenor's Exhibits 14, 15, 16, 17, 18 and 20 to depositions of Todd and Franklin; Exhibits A through H for Identification only to Cross Examination of Dr. L. O. Todd; Exhibits 1 through 7 to Cross Examination of Dr. L. O. Todd; Plaintiffs' Exhibits 8 through 13 to Continuation of Deposition of Dr. L. O. Todd taken July 27, 1965; filed.			
8-5-65	Order tentatively approving Desegregation Plan of The Meridian Separate School District, et al as filed and presented; and, this Court will retain jurisdiction of this cause for the entry of such other and further orders as may be necessary from time to time; filed and entered. OB 1965 Page 225.			
4-8-66	Plaintiffs' Motion for Revised Plan of Desegregation with certificate of service - filed.			
7-19-66	Plaintiff's Interrogatories to the Meridian Separate School District, Dr. L. O. Todd, Superintendent of Education, Dr. J. O. Carson, Assistant Superintendent of Instruction, Paul L. Franklin, Assistant Superintendent for Business Affairs,			



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C.A. NO. 1300

DATE	FILINGS-PROCEEDINGS	CLERK'S FEES		AMOUNT REPORTED IN EXHIBIT RETURN
		PLAINTIFF	DEFENDANT	
	Marvin Williams, Mrs. I. A. Rosenbaum, Jr., Otto R. Smith, J. L. Northam, Jr., Archie McDonnell, Elwood Williams and Phillip Garrison, members of the Board of Trustees of the Meridian Separate School District - filed.			
7-28-66	Motion for Enlargement of Time within which to plead, with certificate of service - filed.			
7-28-66	Order granting defendants until August 18, 1966 within which to answer and/or plead to the plaintiffs' interrogatories - filed and entered. O.B. 1966, page 239			
7-28-66	Copies of above order mailed to Hon. Carsie A. Hall, Marion E. Wright, and Jack H. Young, and Robert E. Hauberg, U. S. Attorney			
8-17-66	Plaintiff's Notice and Motion for Supplemental Relief, noticed for hearing at 9:00 A.M. Aug. 22, 1966, or as soon thereafter as counsel may be heard, in the court room of the U. S. Post Office and Federal Building, Jackson, Miss., with certificate of service - filed.			
8-18-66	Defendants' Objections to Plaintiffs' Interrogatories, with certificate of service - filed.			
8-18-66	Notice of Hearing of Objections to Plaintiffs' Interrogatories at the Court Room, United States Court House, Post Office Building, Jackson, Miss., on Sept. 16, 1966, at 9:00 o'clock A.M. or as soon thereafter as counsel can be heard attached to above Objections - filed.			
8-31-66	Plaintiff-Intervenor's Notice of Motion and Motion for Supplemental Relief, noticed for hearing at 9:00 A.M. Sept. 9, 1966 or as soon thereafter as counsel may be heard in the Courtroom of the U. S. Court House, Jackson, Miss., with certificate of service - filed.			
9-20-66	ORDERED that Paragraph IV of the plan heretofore filed by the defendants herein be amended by deleting the following language: "Commencing with the 1966-1967 school term and thereafter all vacancies in faculty positions will be filled by the selection of the best qualified person available for the particular post without regard to race, color or national origin."; and, by inserting in lieu of the aforesaid deleted language the following language: "An adequate start will be made in the 1966-1967 school session toward elimination of race as a basis for the employment of teachers, administrators, and other personnel." Further ordered that the desegregation plan filed			



CIVIL DOCKET NO. 1300

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DATE	FILINGS—PROCEEDINGS	CLERK'S FEES		AMOUNT REPORTED IN EMOLUMENT RETURNS
		PLAINTIFF	DEFENDANT	
	herein by the defendants be and the same is hereby amended by adding to Paragraph III of the aforesaid plan the following: "E. Any pupil attending any grade in a school of this district, which grade has not been desegregated, shall have an opportunity, subject to the requirements and criteria applicable equally to all pupils without regard to race, color or national origin, to transfer to any other school in the district. F. Any pupil newly enrolled in the public school system or in any school within the system (e.g. a pupil who has newly established a residence within the district) shall, subject to the requirements and criteria applicable equally to all pupils without regard to race, color or national origin, be admitted to the schools of the district without regard to race, color or national origin upon free choice of the pupil and his or her parent or legal guardian." Further Ordered that said desegregation plan as thus submitted and as amended is hereby approved; and, this Court will retain jurisdiction of this cause for the entry to such other and further orders as may be necessary from time to time. Filed and entered. O.B. 1965, pages 290-292			
9-20-66	Copy of above order mailed to Carsie A. Hall, 5881 N. Farish Street, Jackson, Miss., and Hon. Robert A. Heuberg, U. S. Attorney, Jackson, Miss.			
1-11-67	Copy of above order delivered to Mr. Robert Almore			
4-10-67	Notice and Motion for Supplemental Relief, with Appendix A and certificate of service - filed			
4-11-67	Plaintiffs' Motion for Revised Plan of Desegregation with certificate of service - filed			
4-28-67	ORDER to Show Cause set for hearing on May 24, 1967 at Jackson as to why an order shall not be entered in accordance with the decree of Fifth Circuit; further ordered that a copy be served on the attorney for the defendants by the U. S. Marshal - filed and entered. O. B. 1967, pages 148-149			
4-28-67	Four copies of above Order handed to U. S. Marshal for service on defendants' attorneys.			
4-28-67	Copies of above Order mailed to Jack H. Young, Carsie Hall and Marion Wright			



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## CIVIL NO. 1300

DATE	PLAINTS-PROCEEDINGS	CLERK'S FEES		AMOUNT REPORTED IN EMOLUMENT RETURNS
		PLAINTIFF	DEFENDANT	
5-2-67	Order to Show Cause returned executed by delivery to William B. Compton and R. B. Deen, Jr. Attorneys for Meridian Separate School District et al, on April 29- 1967 - filed.			
5-8-67	Plaintiffs' Interrogatories to Meridian Municipal Separate School District; Dr. L. O. Todd, Superintendent of Education; Dr. J. O. Carson, Assistant Superintendent for Construction; Paul L. Franklin, Assistant Superintendent for School Business and Auxiliary Services; Mrs. I. A. Rosenbaum, Jr., Otho R. Smith, J. T. Northam, Jr., Archie R. McDonnell and Robert L. McRes, members of the Board of Trustees with certificate of service - filed.			
5-9-67	Defendants' Response to Motion of Plaintiff for Supplemental Relief, with certificate of service - filed.			
5-10-67	Affidavit of Dr. L. O. Todd in Support of Defendants' Response to Motion of Plaintiff for Supplemental Relief, with certificate of service - filed.			
5-16-67	Defendants' Objections to Plaintiffs' Interrogatories, with certificate of service - filed.			
5-16-67	Notice of Hearing of Defendants' Objections to Plaintiffs' Interrogatories at Jackson, Miss., on May 24, 1967 at 9:00 A.M. - filed.			
5-29-67	ORDERED that the defendants, their agents, officers, employees and successors and all those in active concert and participation with them, be and they are permanently enjoined from discriminating on the basis of race or color in the operation of the Meridian Municipal School District. As set out more particularly in the body of the decree, they shall take affirmative action to disestablish all school segregation and to eliminate the effects of the dual school system; the defendants shall serve upon opposing parties and file with the Clerk of the Court on or before June 15, 1967 and, in each subsequent year, on or before June 15th, a report setting forth information as set out in the Order. In addition to reports elsewhere described, the defendants shall serve upon opposing counsel and file with the Clerk of the Court within 30 days after the opening of schools for the fall semester of each year, a report setting forth information as provided in the Order, filed and entered. O.B. 1967, pages 238-246.			



6-26-67 Notice of Appeal by plaintiff from Paragraph II(o) of Decree entered 5-25-67, to Court of Appeals, filed.

		COT. CLERK'S FEES		AMOUNT REPORTED IN EMOLUMENT RETURNS
		PLAINTIFF	DEFENDANT	
5-29-67	Copies of above Order mailed to Honorable William B. Compton and Honorable Robert B. Deen, Jr.			
6-11-67	Report to the Court on Desegregation Status as Required by Section IX of the Order Dated May 25, 1967, with certificate of service - filed.			
6-26-67	Notice of Appeal, filed			
6-26-67	Personal Bond on Appeal Secured by Cash Deposit, filed.			
6-27-67	Check of Paul Andrew Brest in the amount of \$250.00, cash bond on appeal, mailed to Jackson Office for deposit into Registry of the Court (Receipt No. 47979)			
6-27-67	Copies of Notice of Appeal and Personal Bond on Appeal mailed to William B. Compton and Robert B. Deen, Jr., Robert E. Hauberg, U. S. Atty, and D. Robert Owen, U. S. Dept. of Justice, Washington, D. C.			
7-5-67	Court reporter's Transcript of Proceedings taken May 24, 1967, in Jackson before Hon. William Harold Cox, filed.			
7-28-67	ORDER rejecting plaintiff and plaintiff-intervenors offer of proof concerning Meridian Junior College and Harris Junior College, and denying application for order in accordance with United States v. Jefferson County Board of Education with respect to Meridian Junior College and Harris Junior College, filed and entered. O.B. 1967, Vol. II, pages 386-387			
7-28-67	Copies of above Order mailed to Marion E. Wright, William B. Compton and Robert B. Deen, Jr.			
10-11-67	Report to the Court after School Opening as Required by Section IX(2) of the Order of May 25, 1967, filed.			
10-16-67	Plaintiffs' Motion to Enforce Decree, having attached thereto Application for Leave to Associate Paul Brest, Iris Brest, Jack Greenberg and Melvin Zarr as Co-Counsel for Plaintiffs and for a Declaration of Invalidity of this Court's "Rule as to Nonresident Attorneys," and certificate of service - filed.			



## CIVIL NO. 1300

DATE	FILINGS-PROCEEDINGS	CLERK'S FEES		AMOUNT REPORTED IN EMOLUMENT RETURNS
		PLAINTIFF	DEFENDANT	
11-6-67	Plaintiff's Interrogatories to defendants, with certificate of service, filed.			
11-20-67	Defendants' Objections to Plaintiff's Interrogatories, with certificate of service, filed.			
11-20-67	Notice of Hearing of Defendants' Objections to Plaintiff's Interrogatories at Jackson, Miss. on December 1, 1967 at 9:00 o'clock A.M., or as soon thereafter as counsel can be heard, filed.			
1-5-68	Copy of letter from Elizabeth Mathison, Chief Deputy Clerk, to Mr. N. M. Overstreet, Jr., Chairman, Lawyer's Committee, Jackson, Miss., dated January 4, 1968, stating that, in accordance with request from Marion E. Wright, Application for Admission of nonresident attorneys is closed, said letter having attached thereto copy of letter from Marion E. Wright dated January 2, 1968, requesting transmittal to Committee, filed.			
2-14-68	EXHIBITS: P-1 through P-7; Respondent 1 through 15; and Court's Exhibit 1, filed.			
2-20-68	OPINION-ORDER: That the applications to practice by comity of Paul Brest and Mrs. Iris Brest will be and are denied. The applications of other unnamed attorneys to be allowed to appear as counsel in a class action not in conformity with the rules of this Court will be and are denied; the application of Jack Greenberg granted to the extent that he may participate in the taking of depositions in this District and appear before the Court in the following cases until they are completely concluded: Civil Actions No. 1096(W), No. 1300(E), No. 1302(E), No. 3379(J), No. 3382(J), No. 3379(J); the application of Melvyn Zarr granted to the extent that he may participate in the taking of depositions in this District and appear before the Court in the following cases until they are completely concluded: Civil Actions No. 1096(W), 1300(E), 1302(E), 3700(J) and 3779(J). This opinion shall be and operate as the order of this Court in these seven cases and copies shall be filed and treated and considered as the orders of this Court on such applications in these said cases, filed and entered. O.B. 1968, pages 46-52.			
2-20-68	At the direction of Anna Crews copies of the above Opinion-Order mailed to each member of the Comity Committee for the Southern			



## CIVIL DOCKET NO. 1300

DATE	FILINGS-PROCEEDINGS	CLERK'S FEES		AMOUNT REPORTED IN EMOLUMENT RETURNS
		PLAINTIFF	DEFENDANT	
	District of Mississippi and to Attorney Marion E. Wright (from the Jackson Office).			
3-20-68	ORDER TO RETAIN RECORDS, that the request of plaintiffs concerning <sup>sending</sup> the entire court file to the Court of Appeals is denied; that the applicants shall procure at their expense a certified copy of the docket entries, final judgment, motion and application for leave to associate nonresident counsel filed October 13, 1967, and a transcript of the testimony before the Court in this case and the opinion and order of the Court therein as the record in the appellate court in this case; and the Clerk of this Court shall promptly and in due course transmit such record to the Clerk of the United States Court of Appeals for the Fifth Circuit in New Orleans, Louisiana, and the Clerk of this Court shall retain in his files and in his custody the originals of such record in all things as provided and contemplated by Civil Rule 75(f). A copy of this Order shall be mailed by the Clerk today to Miss Marion E. Wright, Melvyn Zarr and to N. W. Overstreet, Jr., Dixon Pyles, W. F. Goodman, Jr., Charles Clark and Jack Young as sole parties in interest at their proper post-office addresses, postage prepaid, filed and entered. Jackson O.B. 1968, pages 285 and 286.			
3-20-68	Copies of Order mailed from the Jackson Office.			
3-25-68	Copy of Designation of Record in No. 25815, U. S. Court of Appeals, Fifth Circuit, Joan Anderson et al v. Hon. William Harold Cox, with certificate of service, filed.			
4-1-68	Record returned by Court of Appeals, Fifth Circuit.			
4-18-68	Notice of Appearance of Reuben V. Anderson as additional counsel for plaintiffs, with certificate of service, filed.			
5-20-68	OPINION of the United States Court of Appeals, Fifth Circuit, filed.			
5-20-68	JUDGMENT of the Court of Appeals, Fifth Circuit, issued as mandate; that portion of the Order of the trial court filed May 29, 1967, appealed from, in this cause be, and the same is hereby reversed, and			



## NO. 1300 Civil

DATE	FILINGS-PROCEEDINGS	CLERK'S FEES		AMOUNT REPORTED IN SACRAMENTO RETURN
		PLAINTIFF	DEFENDANT	
	the case remanded for the entry of a decree which, in conformity with the opinion of this Court, omits the words " . . . or any other person . . ." from section II(o); further ordered that the appellees, Meridian Municipal Separate School District, and others, be condemned, in solido, to pay the costs of this cause in this Court for which execution may be issued out of the said District Court, filed and entered, O.B. 1968, page 123 J.S. 20810			
6-18-68	Report to the Court on Desegregation Status as Required by Section IX(1) of the Order of this Court dated May 15, 1967, with certificate of service, filed.			
7-5-68	Plaintiff's Notice of Motion and Motion for Supplemental Relief, filed.			
7-5-68	ORDER that Defendants shall file with the Court and serve on opposing counsel, by July 26, 1968, a plan or plans to insure the immediate and effective eradication of racially identifiable schools, and shall submit to this Court and serve upon each party information accompanying each of the above plans as set out in the order, filed and entered, O.B. 1968, pages 174-176. (Copies mailed to William B. Compton, B. B. Dean and Reuben V. Anderson)			
7-12-68	Defendants' Motion to Vacate and Set Aside an Order of this Court dated July 5, 1968, entered in aid of the Motion of the United States of America for Supplemental Relief, with certificate of service, filed.			
7-23-68	ORDER that the previous order of this Court dated July 5, 1968, be and the same is hereby vacated and set aside, filed and entered, O.B. 1968, page 206. (Copies mailed to Reuben V. Anderson and U. S. Attorney)			
7-24-68	Certificate of Service of Notice of Motion and Motion for Supplemental Relief, filed.			
8-2-68	Plaintiffs' Notice of Appeal from the actions of the Court dated July 24, 1968, denying a hearing and setting cause for hearing in October, 1968, with certificate of service, filed.			
8-2-68	Notice of Appeal of United States of America, from			



## CIVIL DOCKET NO. 1300

DATE	FILINGS--PROCEEDINGS	CLERK'S FEES		AMOUNT REPORTED IN EMOLUMENT RETURNS
		PLAINTIFF	DEFENDANT	
	oral order of July 23, 1968, refusing to grant supplemental injunctive relief, to the United States Court of Appeals, Fifth Circuit, filed.			
8-2-68	Copies of above Notice of Appeal mailed to William B. Compton and R. B. Deen, Jr.			
8-2-68	Designation of Record of United States of America, plaintiff-intervenor, filed.			
8-5-68	Cash appeal bond in amount of \$250.00 mailed to Jackson for deposit to registry.			
8-16-68	Defendants' Motion to consolidate for trial with Jackson Division, United States of America v Hinds County, etc., on Monday, 11-7-68, with Notice of Motion on 8-16-68 at Jackson, Miss., and certificate of service, filed.			
8-19-68	ORDER consolidating this and other school cases in the Southern District with Jackson Civil Action 4075, filed and entered OB 1968 pages 245,246,247,248,249 & 250.			
8-21-68	ORDER OF FIFTH CIRCUIT: School cases consolidated for purposes of appeal; appellants motion for injunction pending appeal, for expedited hearing on appeal and for summary reversal denied; the district court to give school cases top priority, conduct hearings in each case no later than 11-4-68, make findings of fact and conclusions of law in accordance with provisions set forth herein, filed and entered OB 1968 pages 255-268 (Copies mailed attorneys)			
9-4-68	ORDER for retention of record on appeal, filed and entered, O.B. 1968, page 276			
9-5-68	Copies of above Order mailed U. S. Atty. Reuben V. Anderson, W. B. Compton and R. B. Deen.			
9-23-68	Interrogatories of plaintiff-intervenor, United States of America, to Defendants Meridian Municipal Separate School District, with certificate of service, filed.			
10-1-68	Certified copy of Order from Fifth Circuit Court of Appeals: Case remanded to U. S. District Court with directions that further proceedings be held in accordance with opinion and order of 8-26-68, filed and entered O.B. 1968, Pages 295-304.			



## CIVIL NO. 1300

DATE	J.S. 5 card	FILINGS-PROCEEDINGS	CLERK'S FEES		AMOUNT REPORTED IN EMOLUMENT RETURNS
			PLAINTIFF	DEFENDANT	
10-4-68	Plaintiff's subpoena to Mr. Archie L. McDonnell returned executed, filed.				
10-4-68	Plaintiff's subpoena to produce document or object to Dr. L. O. Todd, Supt. of Schools, returned executed, filed.				
10-14-68	ORDER amending Paragraph II (c) of Order of May 29, 1967 to the school plan: At no time shall any official, teacher or employee of the school system influence any parent or other adult person serving as a parent, or any student, in the exercise of a choice or favor or penalize any person because of a choice made. Professional guidance counselors shall base their guidance and counseling on individual student's particular personal, academic and vocational needs. Such guidance and counseling by teachers, as well as professional guidance counselors, shall be available to all students without regard to race or color, filed and entered O.B. 1968, page 322.				
10-16-68	Copies of above Order mailed to U. S. Attorney, Reuben V. Anderson, and W. B. Compton, R. B. Deen				
	J.S. 6				
10-16-68	Defendant's Answers to Interrogatories, with certificate of service and attachments, filed.				
10-17-68	EXHIBITS: D-1 (a) through D-1 (m); D-2(a) through D-2 (s); P-1 through P-7, filed.				
10-24-68	Report to the Court After School Opening As Required by Section IX(2) of the Order of this Court Dated May 25, 1967, with certificate of service and attachments, filed.				
12-4-68	Notice of Appearance of Fred L. Banks, Jr. as additional counsel for plaintiffs, with certificate of service, filed.				
12-26-68	Court Reporter's Transcript of Testimony Oct. 16-17, 1968, filed.				
5-13-69	Opinion of the Court filed. (Original placed in Jackson No. 4075 Civil)				
5-13-69	Copies of above Opinion mailed to attorneys of record.				
5-20-69	ORDER that plaintiffs' Motion for a New Plan of Desegregation is denied; that defendants will continue to operate schools located within the Meridian Municipal Separate School District under a freedom of choice plan				



D. C. 130A

NO. 1300 CIVIL

P. 16

DATE	FILINGS—PROCEEDINGS	CLERK'S FEES		AMOUNT REPORTED IN EMOLUMENT RETURNS
		PLAINTIFF	DEFENDANT	
	of desegregation; that defendants shall take steps to achieve complete desegregation of school faculties so that by the 1970-71 school year the pattern of teacher assignments to each school is not identifiable as tailored for a heavy concentration of either Negro or white pupils; defendants shall achieve substantial faculty and staff desegregation by the 1969-70 school year, filed and entered O.B. 1969, page 38. (Copies mailed to attorneys of record)			
5-21-69	Notice of Appeal by Plaintiffs from Opinion of the District Court dated May 13, 1969, and from the Order of the District Court dated May 16, 1969, to the United States Court of Appeals for the Fifth Circuit, with certificate of service, filed.			
5-23-69	Defendants' Motion for additional findings of fact and conclusions of law, with certificate of service, filed.			
5-26-69	Cashier's check No. 8499 in the amount of \$500.00, to cover bonds for costs on appeal in C. A. No. 1300 and C. A. No. 1302 received and mailed to Clerk at Jackson for deposit into Registry.			
5-28-69	Plaintiffs' Motion in Opposition to Defendants' Motion for Additional Findings, with certificate of service, filed.			
6-16-69	Defendants' Report to the Court on Desegregation Status as Required by Section IX(1) of Order of Court dated May 25, 1967, with certificate of service, filed.			
* 6-12-69	Notice of Appeal by United States - filed.			
6-12-69	Certified copy of Notice of Appeal forwarded Fifth Circuit.			
6-12-69	Copies of Notice of Appeal mailed to attorneys of record.			
6-23-69	Plaintiff-appellants' Designation of Record on Appeal, with certificate of service, filed.			
6-24-69	ORDER AS TO APPELLATE RECORD: Appellants' counsel to file with this court within 5 days designation; within 3 days after receipt of copy of such designation appellees' to file designation as to such additional parts of record and clerk to have additional 30 days within which to file record of such designated parts with the Court of Appeals at New Orleans - filed and entered O. B. 1969, Pages 109 - 114.			
6-24-69	Certified copy of above order mailed Court of Appeals.			
6-24-69	Copy of above order mailed attorneys of record.			
6-27-69	Notice of appearance of John A. Nichols - filed			
7-3-69	OPINION OF FIFTH CIRCUIT, filed.			
73-69	JUDGMENT - Fifth Circuit: Order of District Court reversed and case remanded to said District Court with directions in accordance with opinion of this court, Filed 7-7-69 OB 1969, Pgs. 123-129.			
7-5-69	ORDER: (1) The educators from the Office of U.S. Department of HEW requested to collaborate with defendant school boards in preparation of plans to disestablish dual school systems (2) Parties & their counsel directed to comply with plans & conform with the schedules & requirements of 7-3-69 order of Fifth Circuit (3) All dilatory			



1300-Civil

1300

DATE	FILINGS--PROCEEDINGS	CLERK'S FEES		AMOUNT REPORTED EMOLUMENT RETURN
		PLAINTIFF	DEFENDANT	
	<p>matters which cannot be resolved by parties be immediately reported to this Court. (4) Clerk of this Court shall promptly transmit certified or attested copy of this order by airmail to Office of Education, Health, Education &amp; Welfare, Washington, D.C. (5) That conformed copy be mailed to each counsel of record in these 25 school cases as sufficient notice of duties &amp; requirements imposed on them by this order. Filed and entered OB 1969, page 130-135.</p>			
7-7-69	Copies of above order mailed to attorneys of record and Certified copy by airmail to the Office of Education, Health, Education and Welfare, Washington, D.C.			
7-10-69	Copy of letter dated 7-6-69 from Edward W. Wadsworth, Clerk of Fifth Circuit Court of Appeals to all counsel of record with attached correction of Court's Opinion Order, filed and attached to back of Court's Opinion Order.			
7-28-69	FIFTH CIRCUIT: Certified copy of Modification of Order entered by 5th Circuit on July 3, 1969: renumber par. 8 to be par. 7 and striking from such order on pages 17 and 18 paragraphs 5, 6 & 7 in their entirety and inserting new pars. 5 & 6 to provide: (5) If no agreement is reached Office of Education to Present its prop to district court on or before 8-11-69; parties to have 10 days from date proposed plan filed with district court to file objection or suggested amendments thereto; district court to hold hearings on proposed plan & any objections thereto and enter plan no later than 10 days after time for filing objections has expired (6) Plan shall be entered for implementation by Dist. Court no later than Sept. 1, 1969 & effective beginning 1969-70 school year; jurisdiction to be retained until it is clear that disestablishment of dual school system has been achieved - filed and entered OB 1969 P 172 180			
* 7-31-69	Order as to Procedure of Removal - filed and entered OB 1969 P 183 190			
7-31-69	Copies of above order mailed counsel of record			
* 7-30-69	Order directing Clerk to refund \$250.00 cash bond on appeal to Anderson & Banks filed and entered, OB 1969 P. 181-182.			
8-11-69	Desegregation Plan of the Meridian Municipal Separate School District with Certificate, filed in quadruplicate.			
8-11-69	Letter of 8-11-69 to Judge Cox from Dept. of HEW with Attachments A B and Desegregation Plan for Meridian Public School System, filed in quadruplicate.			
8-15-69	Letter of 8-14-69 to Robert C. Thomas, Clerk from Dept. of HEW stating Corrections to the Desegregation Plan for the Meridian Municipal Separate School District filed by HEW, filed in quadruplicate.			



P. 18

D. C. 110A

CIVIL 1300

DATE	FILINGS—PROCEEDINGS	CLERK'S FEES		AMOUNT REPORTED IN EMOLUMENT RETURNS
		PLAINTIFF	DEFENDANT	
8-20-69	Defendants' Amended Desegregation Plan, with certificate of service, filed in quadruplicate.			
8-21-69	Defendants Motion to Set Aside Desegregation Plan filed by HEW and to hold in Abeyance Desegregation Plan filed by Defendants and Notice of motion for hearing in Jackson, Mississippi on 8-21-69 at 1:30 P.M. with certificate of service, filed in quadruplicate.			
8-21-69	Affidavit of Dr. L.O. Todd, Supt. of Meridian Municipal Separate School District, in support of above Motion, filed.			
8-21-69	Affidavit of Dr. Kenneth H. Leflin, Director of Compensatory Services and Evaluation for Meridian Municipal Separate School District, in support of above Motion, filed.			
8-21-69	Affidavit of Paul L. Franklin, Assistant Supt. of Business Affairs of Meridian Municipal Separate School District, filed.			
8-21-69	Motion of United States for Leave to File Motion Seeking Modification of Mandate with copy of letter from Robert Finch, copy of motion filed by Justice Department, and copy of proposed Order thereon, with U.S. Circuit Court of Appeals attached, with certificate of service, filed.			
8-22-69	Per Curiam: Copy of Order from Fifth Circuit Court of Appeals recording delivery of letter to Judges from Secretary Finch and filing of motions in District Court with appropriate similar motions in Court of Appeals seeking the entry of orders granting the suggested extension of December 1, 1969: "The Court has taken no action than to record these facts," filed and entered Eastern Division OB 1969-pages 206-210.			
8-22-69	ORDER appointing Mrs. Sue K. Richmond as temporary Court Reporter, filed and entered Eastern Division OB 1969, page 211.			
8-25-69	Copy of U.S. Amended Motion in Court of Appeals with proposed amended order attached, with certificate of service, filed.			
8-25-69	Motion of private Plaintiffs to Realign Parties or in the Alternative to Drop the United States as a Party Plaintiff, filed.			
8-25-69	Motion of plaintiffs to Associate Norman C. Amaker as Co-Counsel for Plaintiffs with Affidavit of Norman C. Amaker attached and Notice of Hearing at 10:30 A.M. on 8-25-69 at Jackson, with certificate of service, filed.			
8-25-69	EXHIBITS: P-1 through P-4, Govt. 1 through Govt. 30, filed.			
8-26-69	Copy of Findings of Fact and Conclusions of Law, filed. Original to Fifth Circuit signed by Judges Russell and Nixon. (Copies to be furnished all attorneys by Hon. Robert C. Cannada except Attorneys Anderson, and United States Attorneys.			
8-26-69	Court Reporters transcript of hearing before Judge Russell and Nixon on August 21-1969 in Jackson, Mississippi, original and three (3) copies, filed. Original forwarded to Fifth Circuit Court of Appeals.			
9-2-69	OPINION ORDER FROM FIFTH CIRCUIT: On or before 12-1-69 acceptable plan by by Board of Trustees in conjunction with Office of Education is to be submitted to the District Court; Court will approve plan unless within 15 days Objections or proposed amendments are filed, or if any part does not comply with constitutional standards; If no agreement is reached Office of			



1300 (E)

DATE	PLAINTS-PROCEEDINGS	CLERK'S FEE		AMOUNT REPORTED IN EMOLUMENT RETURNS
		PLAINTIFF	DEFENDANT	
	Education will on 12-1-69 present proposed plan and parties will have 15 days in which to file objections. Court to hold hearing on proposed plan or suggested amendments within 15 days and enter order. Court to enter findings of fact and conclusions of law regarding efficacy of plan. By October 1, 1969 Board of Trustees in conjunction with Office of Education to develop program to prepare faculty and staff for conversion from dual to unitary system; Office of Education to report to Court 10-1-69. Court may approve. No new construction until terminal plan approved by Court, filed and entered on OB 1969- pages 217- 228 in Meridian.			
10-1-69	Defendants' Proposed Program to Prepare the Faculty and Staff of the Meridian Municipal Separate School District for the Completion of the Conversion From the Dual to a Unitary System with Certificate of Service, filed.			
<b>REVEREND</b>				
10-31-69	SUPREME COURT per curiam opinion: Court of Appeals order of August 28, 1969, hereby vacated, cases remanded to that court with directions. - filed			
11-3-69	FIFTH CIRCUIT COURT OF APPEALS: Certified copy of order dated 10-31-69: Judge Griffin B. Bell designated in place of Judge John R. Brown to serve with Circuit Judges Thornberry and Morgan; Mandate in cases included in court's order of Aug. 28, 1969 granting stay recalled, this panel assumes control of each of cases for purpose of effectuating order of Supreme Court; appellants, appellees & USA as intervenors shall file with the clerk their proposed order which will implement opinion & decree of Supreme Court rendered Oct. 29, 1969 - filed OB 1969 P 263 - 264			
11-7-69	FIFTH CIRCUIT: Certified copy of order per Supreme Court Decision of 10-29-69. No later than 12-31-69, pupil attendance patterns and faculty assignments in each district shall comply with the respective plans of Office of Education. Judge Dan M. Russell, Jr. designated to receive suggested modifications, but none may be submitted to Judge Russell before 3-1-70 and such suggestion or request shall contemplate effective date of Sept. 1970. Judge Russell directed to make full findings of fact with respect to any recommended modification and refer to Fifth Circuit. No plan to become effective without order of Fifth Circuit. Motions of private litigants for attorneys fees held in abeyance; motion of private litigants to require filing of further plans by Office of Education for use in Hinds County, Holmes County and Meridian districts is denied. Jurisdiction retained. Appendices 1 thru 30 - filed			
10-31-69	directions. - filed			
11-3-69	FIFTH CIRCUIT COURT OF APPEALS: Certified copy of order dated 10-31-69: Judge Griffin B. Bell designated in place of Judge John R. Brown to serve with Circuit Judges Thornberry and Morgan; Mandate in cases included in court's order of Aug. 28, 1969 granting stay recalled, this panel assumes control of each of cases for purpose of effectuating order of Supreme Court; appellants, appellees & USA as intervenors shall file with the clerk their proposed order which will implement opinion & decree of Supreme Court rendered Oct. 29, 1969 - filed OB 1969 P 263 - 264			



D. C. 115A Rev. Civil Docket Continuation

1300 (E)

DATE	PROCEEDINGS	Date Order or Judgment Noted
12-30-69	Motion of defendants - appellees (other than the U.S.A.) for transmission of record to the Supreme Court upon petition for writ of certiorari, filed.	
12-31-69	<p>Order for Transmission of record in accordance with Rules of the Supreme Court of the United States: On motion of defendant, appellees other than U.S.A. alleging petition for writ of certiorari will be filed in the Supreme Court (in Fifth Circuit Cases numbered 28030 &amp; 28042) ordered:</p> <p>(a) Original papers to be forwarded to Supreme Court in lieu of copies.</p> <p>(b) Clerk of this Court authorized and directed to make proper arrangements, for safekeeping, transporting and return of the original papers beginning with the petitions and proceedings filed on and after Oct. 1, 1968 in each of said cases including all pleadings, proceedings, transcripts of evidence filed with the Clerk and other matters of record thereafter filed up to and including present date.</p> <p>(c) The Clerk shall include all those portions of the record in said causes that were transmitted to the Clerk of the Supreme Court of the U.S. in connection with petition for writ of certiorari filed in said Court in Cause #632, Oct. Term 1969 (Beatrice Alexander, et al. v. Holmes County Board of Education, et al (Civil Action 3779) as well as all pleadings proceedings and portions of the record in this Court filed herein subsequent to the judgment and opinion of the Fifth Circuit Court dated July 3, 1969 - Filed and entered OB 1969, P. 317-320</p>	
11-19-69	FIFTH CIRCUIT: Order Amending Plans of Meridian Municipal Separate School District, filed and entered, OB 1970 P. <u>15-17</u> .	
12-5-69	FIFTH CIRCUIT: Order Denying Petition for Rehearing and Petition for Rehearing En Banc, filed and Entered OB 1970 P. <u>28</u> .	
1-8-70	FIFTH CIRCUIT: Order designating United States as Amicus Curiae, filed and entered, OB 1970 P. <u>71-72</u> .	
*11-26-69	FIFTH CIRCUIT: Order Granting NAACP Legal Defense and Education Fund to participate as Amicus Curiae in cases where U.S. is presently sole plaintiff, filed and entered, OB 1970 P. <u>68-71</u> .	



DATE	PROCEEDINGS	Date Order or Judgment Made
4-2-70	Certified copy of Order of Fifth Circuit: Defendants in consolidated school cases shall file with Clerk of this Court on 4-15-70 and on 12-1-70 and on same date annually thereafter a report containing information called for in this order. Filed and entered OB 1970, P. <del>386-387</del> 76-163	
6-8-70	Motion of Meridian Separate School District to modify now existing court ordered H.E.W. school desegregation plan with notice of motion for 6-15-70 at Biloxi, Mississippi and certificate of service, and Exhibit A, filed.	
6-23-70	Objections of Plaintiffs to Defendants' motion to modify plan with certificate of service, filed. (copy mailed Clerk, Meridian, and to Vi Hilbert)	
6-24-70	Plaintiff-Intervenor's Objections to Defendants' Proposed Plan of Desegregation, with certificate of service, filed. (copy mailed Clerk, Meridian)	
7-14-70	Findings of Fact and Recommendations with Exhibits A through C attached, filed. (the original of this instrument was signed and delivered to Mr. Compton for delivery to Fifth Circuit Court on instructions of Judge Russell)	
8-6-70	FIFTH CIRCUIT: Order adopting Judge Dan M. Russell's Findings and Recommendations dated July 14, 1970, without change and setting forth attendance zones. Filed and entered OB 1970, p.p. 187-199.	
4/16/71	Report to the court pursuant to Order dated 3/30/70, due 3/30/71, filed.	
12/2/71	Report to the Court of Meridian Mun. Sep. School Dist pursuant to Order dated 3/30/70, filed.	
4-17-72	Report to the Court of Meridian Mun. Sep. School Dist. pursuant to Order dated 3-30-70, with certificate of service, filed.	
12-4-72	Report to the Court pursuant to Order dated 3-30-72, with certificate of service, filed.	
12-19-72	ORDER directing refund of cash appeal bond (\$250) to Anderson, Banks, Nichols & Leventhal, Attorneys for NAACP, filed and entered OB 1972, Page 386. (DMR)	
2-7-73	ORDER CLOSING CASE: this action closed as an active case subject to being reopened by any party or on Court's own motion, filed and entered OB 1973, page 50 (copy handed Mr. B. Compton, mailed Robert B. Deen, Jr., Fred L. Banks, Jr., Reuben V. Anderson and U. S. Atty.)	
2-7-73	J.S. 6 Card.	
4-18-73	Report to the Court of Meridian Mun. Sep. School Dist. pursuant to Order dated 3-30-70, with cert. of service, filed.	
1-30-74	Report to the Court of Meridian Mun. Sep. School Dist. pursuant to Order dated 3-30-70, with cert. of service, filed.	
3-22-74	Certified copy of Order of Fifth Circuit: Jurisdiction transferred to District Court; Case may be placed on inactive docket subject to being reopened for good cause shown on application of any party or sua sponte; reports required in U.S. vs. Hinds County may be discontinued in event the Summary Reports (Forms 101 and 102) filed annually with HEW are filed with the District Court and there retained for 2 yrs.; or, as an alternative, the previous type of reports may be filed on an annual basis not later than Nov. 15 to reflect status as of Oct. 15 each year, filed and entered OB 1974, Pages 142 - 148.	



## CIVIL DOCKET CONTINUATION SHEET

120 N-1-2 10 10 100 100

PLAINTIFF	DEFENDANT	DOCKET NO. 1300(K)
John Barnhart, et al United States of America	Meridian Municipal Separate School District, et al	PAGE ____ OF ____ PAGES

DATE	NR.	PROCEEDINGS
11-18-74		Report to the Court of Meridian Municipal Separate School District pursuant to Order dated 3-20-74, with certificate of service, filed.
11-13-75		Report to the Court of Meridian Municipal Separate School District pursuant to Order of the Fifth Circuit Court of appeals dated 3-20-74, filed.
11-12-76		Report to the Court of Meridian Municipal Separate School District pursuant to the Order of Fifth Circuit Court of Appeals dated 3-20-74, filed.
11-18-77		Report to the Court of Meridian Municipal Separate School District pursuant to Order of the Fifth Circuit Court of Appeals dated 3-20-74, filed.
11-17-78		Report to the Court pursuant to order of the Fifth Circuit Court of Appeals dated 3-20-74, with cert. of service, filed.
11-27-79		Report to the Court pursuant to an order of the Fifth Circuit Court of Appeals dated March 30, 1970, with cert. of service and attachments filed.
01-12-81		ORDER FIFTH CIRCUIT COURT OF APPEALS: No Party to any of the above listed consolidated causes shall file any further reports of conditions existing in such school districts with the Clerk of this Court. This Order shall not affect the requirements of any subsisting order of any district court that reports be filed with its Clerk, filed and entered O.B. 1981, pages 16-21.
11-18-74		Report to the Court of Meridian Municipal Separate School District pursuant to Order dated 3-20-74, with certificate of service, filed.
11-13-75		Report to the Court of Meridian Municipal Separate School District pursuant to Order of the Fifth Circuit Court of appeals dated 3-20-74, filed.
11-12-76		Report to the Court of Meridian Municipal Separate School District pursuant to the Order of Fifth Circuit Court of Appeals dated 3-20-74, filed.
11-18-77		Report to the Court of Meridian Municipal Separate School District pursuant to Order of the Fifth Circuit Court of Appeals dated 3-20-74, filed.
11-17-78		Report to the Court pursuant to order of the Fifth Circuit Court of Appeals dated 3-20-74, with cert. of service, filed.
11-27-79		Report to the Court pursuant to an order of the Fifth Circuit Court of Appeals dated March 30, 1970, with cert. of service and attachments filed.

DC-111A REV. 11/78